

Serial No.: 10/800,546

REMARKS

Claims 1-3 and 5-28 are pending in this application upon entry of this amendment. Claim 1 has been amended to include the features of allowable claim 4, now canceled. Claims 5-8 have been amended so as to now depend from claim 1. Favorable reconsideration of the application, as amended, is respectfully requested.

I. Allowable Subject Matter

Applicants acknowledge with appreciation the indicated allowability of several claims, especially claim 4, subject to being rewritten in independent form.

II. Claim Amendments

The Office Action of 5 October 2005 indicates that claim 4 would be allowable as independent claim; consequently claim 1 was amended to include claim 4.

Accordingly, amended claim 1 now newly claims, i.e. in addition to the originally claimed features, that the different refractive indices are effected by different material composition and/or different doping levels and/or different dimensions of the superlattice layers. In other words, amended claim 1 now includes all limitations of former claims 1 and 4.

For at least the above reason, claim 1, as amended, is believed to be allowable.

Claims 2-3, 9, 18, 21-24, rejected in the above-referenced Office Action, now depend on a presumably allowable independent claim, i.e. claim 1, and are therefore believed to be allowable, too.

III. Conclusion

Accordingly, all presented claims are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such is respectfully solicited.


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Should Examiner feel that a telephone interview would help to facilitate favorable prosecution of this application, Examiner is respectfully invited to contact the undersigned at the phone number below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully Submitted,

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